

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 676

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO YOUTH ATHLETES AND CONCUSSIONS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1620, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE FOR GUIDELINES, OTHER PERTINENT INFORMATION AND FORMS, TO PROVIDE FOR THE USE OF GUIDELINES, INFORMATION AND FORMS, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL MAKE AVAILABLE ON ITS WEBSITE SUCH GUIDELINES, INFORMATION AND FORMS, TO PROVIDE FOR A CONCUSSION AND HEAD INJURY INFORMATION SHEET, TO PROVIDE THAT A YOUTH ATHLETE WHO IS SUSPECTED OF SUSTAINING A CONCUSSION OR HEAD INJURY SHALL BE REMOVED FROM COMPETITION, TO PROVIDE THAT A YOUTH ATHLETE WHO HAS BEEN REMOVED FROM PLAY MAY NOT RETURN TO PLAY UNTIL THE ATHLETE IS EVALUATED AND RECEIVES WRITTEN CLEARANCE, TO PROVIDE FOR A HEALTH CARE PROVIDER VOLUNTEER, TO PROVIDE THAT A VOLUNTEER HEALTH CARE PROVIDER SHALL NOT BE LIABLE IN CERTAIN SITUATIONS AND TO PROVIDE FOR APPLICATION OF LAWS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 16, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1620, Idaho Code, and to read as follows:

33-1620. LEGISLATIVE INTENT -- YOUTH ATHLETES -- CONCUSSION GUIDELINES. The legislature finds that concussions are one of the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The centers for disease control and prevention estimates that as many as three million eight hundred thousand (3,800,000) sports-related and recreation-related concussions occur in the United States each year. A concussion is caused by a blow or motion to the head or body that causes the brain to move rapidly inside the skull. The risk of catastrophic injuries or death is significant when a concussion or head injury is not properly evaluated and managed.

Concussions are a type of brain injury that can range from mild to severe and can disrupt the way the brain normally works. Concussions can occur in any organized or unorganized sport or recreational activity and can result from a fall or from players colliding with each other, the ground, or with obstacles. Concussions occur with or without loss of consciousness, but the vast majority occur without loss of consciousness.

Continuing to play with a concussion or symptoms of head injury leaves the young athlete especially vulnerable to greater injury and even death. The legislature recognizes that, despite having generally recognized return to play standards for concussion and head injury, some affected youth athletes are prematurely returned to play resulting in actual or potential physical injury or death to youth athletes in the state of Idaho.

1 (1) (a) The state board of education shall collaborate with the Idaho  
2 high school activities association to develop guidelines and other per-  
3 tinent information and forms to inform and educate coaches, both paid  
4 and volunteer, youth athletes, and their parents and/or guardians of  
5 the nature and risk of concussion and head injury including risks as-  
6 sociated with continuing to play after concussion or head injury.

7 (b) The guidelines, information and forms described in subsection  
8 (1) (a) of this section shall be developed for and may be used by all  
9 organized youth sport organizations or associations that sponsor, pro-  
10 mote or otherwise administer youth sport organizations or activities  
11 in this state. The state board of education shall make available on its  
12 internet website the guidelines, information and forms provided for in  
13 this section.

14 (c) On a yearly basis, a concussion and head injury information sheet,  
15 as described in this subsection (1), shall be signed by the youth  
16 athlete and the athlete's parent(s) and/or guardian(s) and shall be  
17 returned to the appropriate coach prior to the second practice held.

18 (2) A youth athlete who is suspected of sustaining a concussion or head  
19 injury in a practice or game shall be removed from such practice or game at  
20 that time.

21 (3) A youth athlete who has been removed from practice or a game may not  
22 return to such practice or game until:

23 (a) The athlete is evaluated by one (1) of the following health care  
24 providers and provided that such health care provider is trained in the  
25 evaluation and management of concussions: a physician or physician  
26 assistant licensed under chapter 18, title 54, Idaho Code, an athletic  
27 trainer licensed under chapter 39, title 54, Idaho Code, or an advanced  
28 practice professional nurse licensed under section 54-1409, Idaho  
29 Code.

30 (b) The athlete receives written clearance or authorization to re-  
31 turn to the practice or game from one (1) of the following health care  
32 providers and provided that such health care provider is trained in the  
33 evaluation and management of concussions: a physician or physician  
34 assistant licensed under chapter 18, title 54, Idaho Code, an athletic  
35 trainer licensed under chapter 39, title 54, Idaho Code, or an advanced  
36 practice professional nurse licensed under section 54-1409, Idaho  
37 Code.

38 (c) A health care provider referred to in subsection (3) (a) or (b) of  
39 this section may be a volunteer. A volunteer health care provider who  
40 evaluates an athlete as provided in subsection 3(a) of this section or  
41 who provides written clearance or authorization to a youth athlete to  
42 return to practice or a game as provided for in subsection (3) (b) of this  
43 section shall not be liable for civil damages resulting from any act  
44 or omission in the provision of such evaluation or written clearance  
45 or authorization, other than acts or omissions constituting gross  
46 negligence or willful or wanton misconduct.

47 (4) The provisions of this act shall apply only to youth athletes sev-  
48 enteen (17) years of age and younger, participating in sports activities or  
49 sports programs provided by or through the public schools of this state.